REMARKS

Claims 1-22 are pending in the present application. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

Applicant notes with appreciation the indication that claim 7 is allowable over the prior art, and would be allowed if rewritten in independent form. These claims are being retained in their dependent form in view of Applicant's belief, as indicated below, that main claim 1 also defines novel and unobvious subject matter.

Claims 1-4, and 8-22 were rejected under 35 U.S.C. §103 as being unpatentable over Kahl (U.S. Patent No. 6,459,718) in view of Trousilek (U.S. Patent No. 5,311,718) and Doherty (U.S. Patent No. 6,658,808). Claims 5-6 were rejected under 35 U.S.C. §103 as being unpatentable over Kahl in view of Trousilek Doherty and further in view of Davis (U.S. Patent No. 6,295,783). These rejections are respectfully traversed for the following reasons.

Claim 1 recites a protective wall (1) for shielding against laser beams, optionally including laser beams stemming from welding machines, wherein the protective wall (1) contains light-alloy shaped sections (10 - 14) which are essentially rectangular, and incorporates chambers formed by interior walls (2), and profilings formed on a front and/or side thereof, wherein the light-alloy shaped sections (10 - 14) are lined up and connected side wall to side wall in an individually removable manner to form the protective wall (20, 22; 21, 23; 24, 25) in such a way that the profiling on a side of the wall is implemented step-like from a front wall (26) to a back wall (27) thus permitting insertion and removal of each section in alternate directions perpendicular

to a plane of extension defined by the front walls (26) of the sections (10 to 14). This is not taught, disclosed or made obvious by the prior art of record.

The Office Action recognizes that Kahl does not disclose that the sections are connected in such a way that the profiling on a side of the wall is implemented step-like from a front wall to a back wall. The Office Action asserts that Doherty teaches such a construction, citing to Fig. 5. Applicant respectfully disagrees. In Fig. 5, Doherty shows a building constructed from the modules illustrated in Figs. 1-4. There is no showing of the step-like profiling claimed in claim 1.

Further, claim 1 recites that insertion and removal of each section is permitted in alternate directions perpendicular to a plane of extension defined by the front walls of the sections. This is not taught or suggested in Kahl or Dohery for the reasons set forth in the prior response. In particular, the wall elements of Kahl are not constructed such that insertion and removal of each section is accomplished in alternate directions perpendicular to a plane of extension defined by the front walls of the sections The interlocking elements of Doherty permit insertion and removal of adjacent elements in, no perpendicular to, a plane of extension defined by the front walls of the sections.

The Office now cites Trousilek and states (without for the most part, specific citation to portions of the reference):

> Trousilek discloses a protective wall capable of being used (1) for shielding against laser beams, optionally including laser beams stemming from welding machines, but lacks the protective wall made of light-alloy shaped sections but the sections are essentially rectangular, and incorporates chambers formed by interior walls (2), and profiling formed on a front and/or side thereof,
>
> wherein the sections are lined up and connected side wall to side wall in an individually removable manner to form the protective wall in such a way that the profiling on a side of the wall is implemented step-like from a front wall (21) to a back wall (22),

> thus permitting insertion and removal of each section in alternate directions perpendicular to a plane of extension defined by the front walls of the sections.

Applicant respectfully disagrees.

According to Applicant's invention, the profiling on the side of the wall is implemented step-like from a front wall to a back wall thus permitting insertion and removal of each section in alternate directions ***perpendicular*** to a plane of extension defined by the front walls of the section. For illustrative purposes, Applicant invites attention to the following copy of Fig. 1 of the application, which has been marked up to show the plane of extension and the directions perpendicular to that plane.

Applicant's Invention:

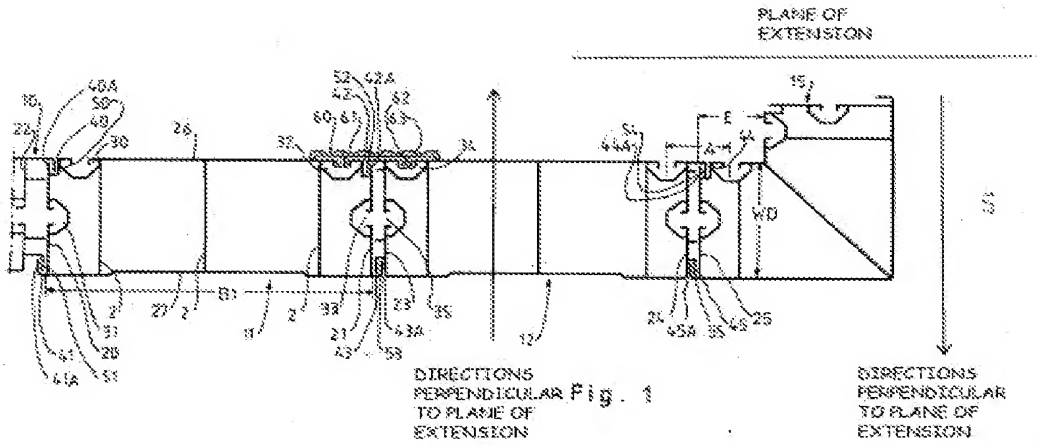

Fig. 1

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In contrast, Trousilek discloses the contrary, namely profiling 23, 24 on side walls of the sections 13 that permit insertion and removal of individual sections only in a direction ***parallel*** to a plane of extension defined by the front walls of the sections, which direction is identical to a longitudinal direction of each section.

Trousilek's Invention:

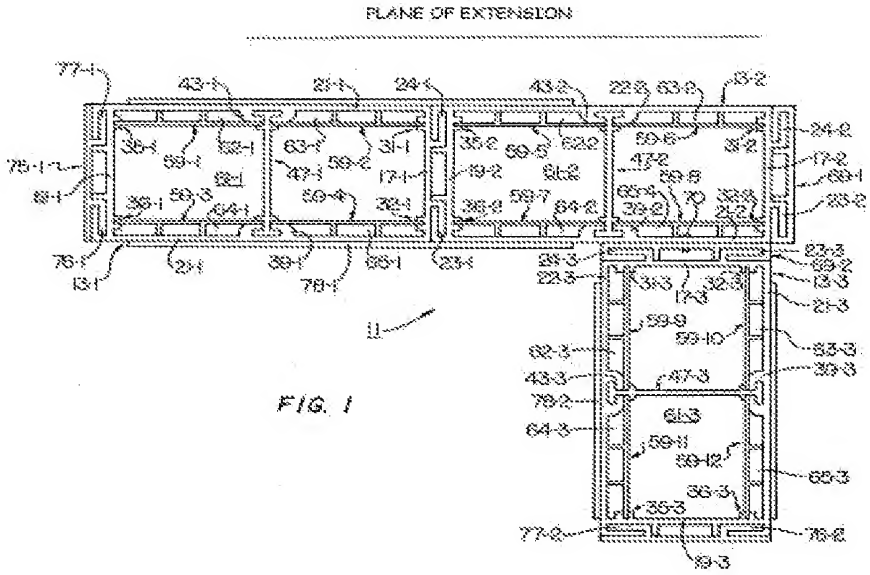

FIG. 1

It can easily be seen that the profilings in Trousilek are not shaped to allow insertion and removal in directions perpendicular to the plane of extension. Thus, even assuming for the sake of argument only that the proposed combination would have been obvious, the result would not have yielded Applicant's claimed invention, since none of the cited prior art teaches the profiling on the side of the wall is implemented step-like from a front wall to a back wall thus permitting insertion and removal of each section in alternate directions ***perpendicular*** to a plane of extension defined by the front walls of the section as recited in claim 1.

Applicant further submits that even if, assuming for the sake of argument only, that the cited references teach all of the claimed elements, the proposed combination would

not have been obvious to one of ordinary skill in the art. In particular, Kahl relates to a laser protective wall which serves to shield laser work stations against, e.g., high-power metal-working lasers. However, Doherty relates to building modules used for buildings, retaining walls, and bridges. Trousilek relates to structural elements for building homes and the like. Although the Office asserts that Trousilek discloses a protective wall capable of being used (1) for shielding against laser beams, optionally including laser beams stemming from welding machines, there is no citation to the reference disclosing that the disclosed wall structures are suitable for such purpose. Applicant respectfully submits that the technologies of Doherty and Trousilek are significantly different in their requirements than is required for construction of laser protective walls of the kind disclosed in Kahl. One of ordinary skill in the art of designing and building laser protective walls would not have been motivated to refer to patents relating to the building of homes, buildings, retaining walls, and bridges to solve the problems associated with designing and building laser protective walls.

For at least these reasons, claim 1 is believed to be patentable over the prior art of record, whether taken alone or in combination as proposed in the Office Action. Claims 2-18 depend from and include the limitations of claim 1. Applicant respectfully submits that claims 2-18 are patentable over the prior art in and of themselves, and for the reasons discussed above with respect to claim 1. Claims 19-22 are believed to be patentable over the prior art of record, whether taken alone or in combination as proposed in the Office Action for the reasons discussed above with respect to claim 1.

Additionally, claim 19 recites, *inter alia*, that the strip projections are implemented laterally offset relative to one another on each side wall in a step-like configuration from the front wall to the back wall so that on the individual shaped sections one set of the strip projections are located alternately closer to one another than the other set

of strip projections. The Office alleges that this feature is shown in Trousilek. Applicant respectfully disagrees.

In Applicant's inventive construction, the strip projections 41A, 43A are located farther from the side of the side walls 20, 21 than the strip projections 401, 42A. This is not the case in Trouslek, where each of the projections 23, 24 are located at the same distance from one another.

Claim 21 recites, *inter alia*, a first group of said sections comprising a plurality of parallel side-wall grooves, wherein a first subset of grooves are located within the side walls forming the sections and the second subset of grooves are located outside the side walls forming the sections. This is shown, for example, in the annotated copy of Fig. 2 of the present application:

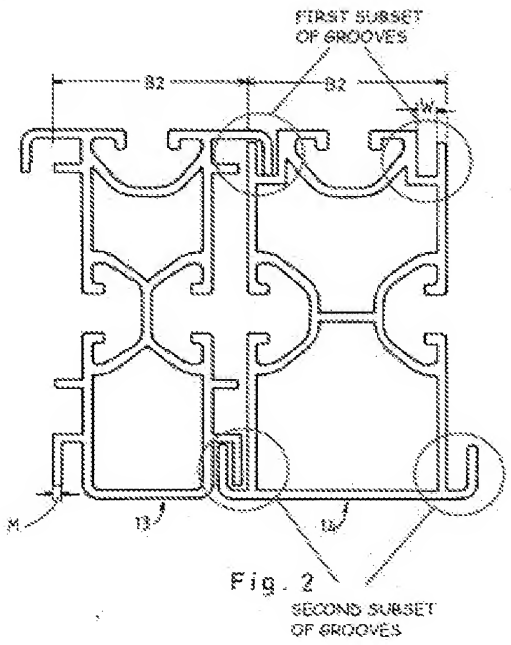

Fig. 2

Such a configuration is not taught or suggested in Trousilek.

For at least these reasons, Applicant respectfully submits that claims 1-22 are patentable over the prior art of record whether taken alone or in combination as proposed in the Office Action.

In view of the above amendment and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is in condition for allowance and early notice to this effect is most earnestly solicited.

If the Examiner has any questions, he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

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